

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (Midland)  
CRIMINAL DOCKET FOR CASE #: 7:15-cr-00123-RAJ-1**

Case title: USA v. Willis, et al

Date Filed: 05/27/2015

Date Terminated: 11/08/2016

Assigned to: Judge Robert A.  
Junell

**Defendant (1)**

**Marcus Dwayne Willis**  
*TERMINATED: 11/08/2016*

represented by **E. Jason Leach**  
Law Office of E. Jason Leach, PLLC  
The Grant Building  
307 N. Grant Ave., Ste. 300  
Odessa, TX 79761-5117  
(432)552-7000  
Fax: 432/366-5000  
Email: [ejl@ejasonleach.com](mailto:ejl@ejasonleach.com)  
*TERMINATED: 11/08/2016*  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

21:846=ND.F CONSPIRACY TO  
DISTRIBUTE NARCOTICS –  
defendant did combine, conspire,  
confederate and agree together,  
with each other, and with others  
known and unknown to the Grand  
Jury to possess with intent to  
distribute and distribute a  
controlled substance, which  
offense involved five (5) kilograms  
or more of a mixture and substance  
containing a detectable amount of  
cocaine, contrary to Title 21,  
United States Code, Sections  
841(a)(1) and 841(b)(1)(A), in  
violation of Title 21, United States  
Code, Section 846.  
(1)

**Disposition**

On November 2, 2016 defendant was sentenced to  
1 months BOP, 48 months supervised release, and  
\$100 special assessment fee.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition****Highest Offense Level  
(Terminated)**

None

**Complaints**

None

**Disposition****Plaintiff**

USA

represented by **Brandi Young**  
 U.S. Attorney's Office  
 400 W. Illinois Avenue, Suite 1200  
 Midland, TX 79701  
 (432)686-4110  
 Email: [brandi.young@usdoj.gov](mailto:brandi.young@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Page	Docket Text
05/27/2015	<u>1</u>	8	SEALED INDICTMENT (Redacted Version) filed Unredacted document sealed pursuant to E-Government Act of 2002 as to Marcus Dwayne Willis (1) count(s) 1, Cheryl Denise Montgomery (2) count(s) 1, Lorenzo Zubia (3) count(s) 1. (sm) (Entered: 05/28/2015)
05/27/2015			All parties shall comply with the Standing Orders of Judge Robert Junell located at <a href="http://www.txwd.uscourts.gov/rules/standingorders/default.asp#midland">www.txwd.uscourts.gov/rules/standingorders/default.asp#midland</a> as to Marcus Dwayne Willis, Cheryl Denise Montgomery, Lorenzo Zubia (sm) (Entered: 05/28/2015)
05/27/2015	<u>2</u>		MOTION to Seal Indictmentby USA as to Marcus Dwayne Willis, Cheryl Denise Montgomery, Lorenzo Zubia. (sm) (Entered: 05/28/2015)
05/27/2015	<u>3</u>		ORDER GRANTING <u>2</u> Motion to Seal Indictment/Information as to Marcus Dwayne Willis (1), Cheryl Denise Montgomery (2), Lorenzo Zubia (3). Signed by Judge David Counts. (sm) (Entered: 05/28/2015)
05/27/2015	<u>4</u>		ORDER FOR ISSUANCE OF Bench Warrant as to Marcus Dwayne Willis, Cheryl Denise Montgomery, Lorenzo Zubia. Signed by Judge David Counts. (sm) (Entered: 05/28/2015)
05/27/2015	<u>5</u>		Bench Warrant Issued by Judge David Counts as to Marcus Dwayne Willis. (sm) (Entered: 05/28/2015)
05/27/2015	<u>8</u>		Personal Data Sheet (SEALED) as to Marcus Dwayne Willis (sm) (Entered: 06/01/2015)

06/12/2015			Arrest of Marcus Dwayne Willis (sm) (Entered: 06/16/2015)
06/12/2015		19	INDICTMENT UNSEALED as to Marcus Dwayne Willis, Cheryl Denise Montgomery (sm) (Entered: 06/16/2015)
06/15/2015	<u>22</u>		Minute Entry for proceedings held before Judge David Counts:Initial Appearance as to Marcus Dwayne Willis held on 6/15/2015 (Minute entry documents are not available electronically.) Arraignment set for 6/18/2015 09:30 AM before Judge David Counts, Detention Hearing set for 6/18/2015 09:30 AM before Judge David Counts, (Court Reporter Digital.) (sm) (Entered: 06/16/2015)
06/15/2015	<u>23</u>		MOTION to Detain Defendant without Bond by USA as to Marcus Dwayne Willis. (sm) (Entered: 06/16/2015)
06/15/2015	<u>24</u>		ORDER as to Marcus Dwayne Willis, ( Arraignment set for 6/18/2015 09:30 AM before Judge David Counts,). Signed by Judge David Counts. (sm) (Entered: 06/16/2015)
06/15/2015	<u>25</u>		ORDER OF TEMPORARY DETENTION: Bond set to No Bond as to Marcus Dwayne Willis Detention Hearing set for 6/18/2015 09:30 AM before Judge David Counts,. Signed by Judge David Counts. (sm) (Entered: 06/16/2015)
06/16/2015	<u>30</u>		PDF with attached Audio File. Audio as to Defendant (1) Marcus Dwayne Willis, Defendant (2) Cheryl Denise Montgomery. Court Date & Time [ 6/15/2015 2:17:25 PM ]. File Size [ 1100 KB ]. Run Time [ 00:04:35 ]. (admin). (Entered: 06/16/2015)
06/17/2015	<u>37</u>		NOTICE OF ATTORNEY APPEARANCE: E. Jason Leach appearing for Marcus Dwayne Willis . Attorney E. Jason Leach added to party Marcus Dwayne Willis(pty:dft) (Leach, E.) (Entered: 06/17/2015)
06/18/2015	<u>38</u>		Minute Entry for proceedings held before Judge David Counts:Arraignment as to Marcus Dwayne Willis (1) Count 1. Plea of not guilty entered on 6/18/2015 (Minute entry documents are not available electronically.) (Court Reporter Digital.) (sm) (Entered: 06/18/2015)
06/18/2015	<u>39</u>		Minute Entry for proceedings held before Judge David Counts:Detention Hearing as to Marcus Dwayne Willis held on 6/18/2015 (Minute entry documents are not available electronically.) (Court Reporter Digital.) (sm) (Entered: 06/18/2015)
06/18/2015	<u>44</u>		ORDER Setting Conditions of Release as to Marcus Dwayne Willis (1) \$10,000.00 10% Cash Bond.. Signed by Judge David Counts. (sm) (Entered: 06/18/2015)
06/18/2015			ORDER DENYING <u>23</u> Motion to Detain Defendant without Bond. Bond set to \$10,000.00 10% Cash Bond as to Marcus Dwayne Willis (1) (See Conditions of Release). Signed by Judge David Counts. (sm) (Entered: 06/18/2015)
06/18/2015	<u>45</u>		SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions to continue due by 6/29/2015, Plea Agreement due by 7/16/2015, Docket Call set for 7/1/2015 10:00 AM before Judge David Counts, Jury Selection set for 8/3/2015 09:00AM before Judge Robert A. Junell, Jury Trial set for 8/3/2015 09:00 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (sm) (Entered: 06/18/2015)

06/18/2015	<u>67</u>		Secured Bond Filed as to Marcus Dwayne Willis in amount of \$ \$10,000.00 with 10% (\$1,000.00). Receipt # 700009057. (lg1) (Entered: 08/13/2015)
06/22/2015	<u>46</u>		PDF with attached Audio File. Audio as to Defendant (1) Marcus Dwayne Willis, Defendant (2) Cheryl Denise Montgomery. Court Date & Time [ 6/18/2015 9:53:37 AM ]. File Size [ 3148 KB ]. Run Time [ 00:13:07 ]. (admin). (Entered: 06/22/2015)
07/01/2015	<u>47</u>		Minute Entry for proceedings held before Judge David Counts:Docket Call as to Marcus Dwayne Willis, Cheryl Denise Montgomery, Lorenzo Zubia held on 7/1/2015 (Minute entry documents are not available electronically.) (Court Reporter Digital.) (cl) (Entered: 07/01/2015)
07/02/2015	<u>48</u>		PDF with attached Audio File. Audio as to Defendant (1) Marcus Dwayne Willis, Defendant (2) Cheryl Denise Montgomery, Defendant (3) Lorenzo Zubia. Court Date & Time [ 7/1/2015 10:08:03 AM ]. File Size [ 5056 KB ]. Run Time [ 00:21:04 ]. (Audio Duplicate D (Entered: 07/02/2015)
07/08/2015	<u>49</u>		ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery, Lorenzo Zubia, ( Status Conference set for 7/16/2015 10:30 AM before Judge David Counts,). Signed by Judge David Counts. (lg1) (Entered: 07/08/2015)
07/22/2015	<u>60</u>		SEALED MOTION filed (Young, Brandi) (Entered: 07/22/2015)
07/22/2015	<u>61</u>		Sealed Order. Signed by Judge Robert A. Junell. (lg1) (Entered: 07/23/2015)
07/22/2015			Set/Reset Hearings as to Marcus Dwayne Willis, Cheryl Denise Montgomery: Jury Selection set for 10/5/2015 09:00AM before Judge Robert A. Junell, Jury Trial set for 10/5/2015 09:00 AM before Judge Robert A. Junell, (lg1) (Entered: 07/23/2015)
07/23/2015	<u>62</u>		SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions due by 8/31/2015, Plea Agreement due by 9/9/2015, Docket Call set for 9/2/2015 10:00 AM before Judge David L. Bunning, Jury Selection set for 10/5/2015 09:00AM before Judge Robert A. Junell, Jury Trial set for 10/5/2015 09:00 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (lg1) (Entered: 07/23/2015)
07/23/2015	<u>63</u>		Bench Warrant Returned Executed on 6/12/15 as to Marcus Dwayne Willis. (sm) (Entered: 07/23/2015)
08/12/2015	<u>66</u>		ORDER SETTING STATUS CONFERENCE as to Marcus Dwayne Willis, ( Status Conference set for 8/17/2015 03:00 PM before Judge David Counts,). Signed by Judge David Counts. (lg1) (Entered: 08/12/2015)
08/18/2015	<u>69</u>		ORDER MODIFYING CONDITIONS OF RELEASE as to Marcus Dwayne Willis. Signed by Judge David Counts. (lg1) (Entered: 08/18/2015)
09/18/2015	<u>72</u>		SEALED MOTION filed (Young, Brandi) (Entered: 09/18/2015)
09/23/2015	<u>75</u>		ORDER TO CONTINUE – Ends of Justice as to Marcus Dwayne Willis, Cheryl Denise Montgomery, Motions terminated as to Marcus Dwayne Willis, Cheryl Denise Montgomery:GRANTING <u>72</u> SEALED MOTION filed filed by USA., ( Plea Agreement due by 1/7/2015,, Docket Call set for 12/2/2015 10:00 AM before Judge David Counts,, Jury Selection reset for 2/1/2016 08:30AM before Judge Robert A. Junell,, Jury Trial reset for 2/1/2016 08:30 AM before

		Judge Robert A. Junell,). Signed by Judge Robert A. Junell. (sm) (Entered: 09/23/2015)
09/24/2015	<u>77</u>	SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions to continue due by 11/30/2015, Plea Agreement due by 1/7/2016, Docket Call set for 12/2/2015 10:00 AM before Judge David Counts, Jury Selection set for 2/1/2016 08:30AM before Judge Robert A. Junell, Jury Trial set for 2/1/2016 08:30 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (sm) (Entered: 09/24/2015)
12/18/2015	<u>79</u>	SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions to continue due by 1/4/2016, Plea Agreement due by 1/7/2016, Docket Call set for 1/6/2016 10:00 AM before Judge David Counts, Jury Selection set for 2/1/2016 08:30AM before Judge Robert A. Junell, Jury Trial set for 2/1/2016 08:30 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (lg1) (Entered: 12/18/2015)
01/04/2016	<u>80</u>	ORDER CANCELLING DOCKET CALL as to Marcus Dwayne Willis, Cheryl Denise Montgomery. Signed by Judge David Counts. (lg1) (Entered: 01/04/2016)
01/12/2016	<u>81</u>	SEALED MOTION filed (Warsaw, Violet) (Entered: 01/12/2016)
01/14/2016	<u>82</u>	Sealed Order. Signed by Judge Robert A. Junell. (ms2) (Entered: 01/19/2016)
01/20/2016	<u>83</u>	SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions to continue due by 2/29/2016, Plea Agreement due by 3/17/2016, Docket Call set for 3/2/2016 10:00 AM before Judge David Counts, Jury Selection set for 4/5/2016 08:30AM before Judge Robert A. Junell, Jury Trial set for 4/5/2016 08:30 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (ms2) (Entered: 01/21/2016)
02/02/2016	<u>84</u>	SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions to continue due by 2/29/2016, Plea Agreement due by 3/17/2016, Docket Call reset for 3/3/2016 10:00 AM before Judge David Counts, Jury Selection set for 4/5/2016 08:30AM before Judge Robert A. Junell, Jury Trial set for 4/5/2016 08:30 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (lg1) (Entered: 02/02/2016)
02/23/2016	<u>87</u>	ORDER RESETTING as to Marcus Dwayne Willis, Cheryl Denise Montgomery, ( Docket Call reset for 3/2/2016 03:30 PM before Judge David Counts,). Signed by Judge David Counts. (lg1) (Entered: 02/24/2016)
03/17/2016	<u>88</u>	SEALED MOTION filed (Warsaw, Violet) (Entered: 03/17/2016)
03/18/2016	<u>89</u>	Sealed Order. Signed by Judge Robert A. Junell. (ms2) (Entered: 03/18/2016)
03/18/2016		Set/Reset Hearings as to Marcus Dwayne Willis, Cheryl Denise Montgomery: Jury Selection set for 6/7/2016 08:30AM before Judge Robert A. Junell, Jury Trial set for 6/7/2016 08:30 AM before Judge Robert A. Junell, (ms2) (Entered: 03/18/2016)
03/23/2016	<u>90</u>	SCHEDULING ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery Motions to continue due by 5/2/2016, Plea Agreement due by 5/19/2016, Docket Call set for 5/4/2016 10:00 AM before Judge David Counts, Jury Selection set for 6/7/2016 08:30AM before Judge Robert A. Junell, Jury


			Trial set for 6/7/2016 08:30 AM before Judge Robert A. Junell,. Signed by Judge David Counts. (lg1) (Entered: 03/23/2016)
05/04/2016	<u>94</u>		Minute Entry for proceedings held before Judge David Counts:Docket Call as to Marcus Dwayne Willis, Cheryl Denise Montgomery held on 5/4/2016 (Minute entry documents are not available electronically.) (Court Reporter Digital.) (ms2) (Entered: 05/05/2016)
05/05/2016	<u>95</u>		ORDER as to Marcus Dwayne Willis, Cheryl Denise Montgomery, ( Status Conference set for 5/17/2016 11:00 AM before Judge David Counts,). Signed by Judge David Counts. (ms2) (Entered: 05/05/2016)
05/17/2016	<u>96</u>		ORDER Setting Rearraignment as to Marcus Dwayne Willis, Cheryl Denise Montgomery Rearraignment set for 5/19/2016 08:30 AM before Judge David Counts,. Signed by Judge David Counts. (lg1) (Entered: 05/17/2016)
05/19/2016	<u>97</u>		Consent to administration of guilty plea and Rule 11 Allocution by a United States Magistrate Judge by Marcus Dwayne Willis. (jk) (Entered: 05/19/2016)
05/19/2016	<u>99</u>		Minute Entry for proceedings held before Judge David Counts: Rearraignment held on 5/19/2016; Defendants Informed of Rights. Plea of guilty entered as to Marcus Dwayne Willis (1) Count 1 and Cheryl Denise Montgomery (2) Count 1; Referred to Probation for Presentence Report (Minute entry documents are not available electronically.) (Court Reporter Digital.) (jk) (Entered: 05/19/2016)
05/19/2016	<u>100</u>		PLEA AGREEMENT as to Marcus Dwayne Willis (Plea agreement documents are not available electronically.) (jk) (Entered: 05/19/2016)
05/19/2016	<u>102</u>		WAIVER of Rule 32 Time Limits by Marcus Dwayne Willis. (jk) (Entered: 05/19/2016)
05/19/2016	<u>104</u>		FINDINGS OF FACT AND RECOMMENDATION on felony guilty plea before the United States Magistrate Judge as to Marcus Dwayne Willis. Signed by Judge David Counts. (jk) (Entered: 05/19/2016)
05/23/2016	<u>106</u>		ORDER Setting Sentencing as to Marcus Dwayne Willis, Cheryl Denise Montgomery Sentencing set for 8/9/2016 01:30 PM before Judge Robert A. Junell,. Signed by Judge Robert A. Junell. (lg1) (Entered: 05/23/2016)
05/23/2016	<u>107</u>		PDF with attached Audio File. Audio as to Defendant (1) Marcus Dwayne Willis, Defendant (2) Cheryl Denise Montgomery. Court Date & Time [ 5/19/2016 8:39:14 AM ]. File Size [ 11824 KB ]. Run Time [ 00:24:38 ]. (admin). (Entered: 05/24/2016)
06/16/2016	<u>108</u>		ORDER accepting re <u>104</u> Findings of Fact on Plea as to Marcus Dwayne Willis. Guilty plea accepted.. Signed by Judge Robert A. Junell. (lg1) (Entered: 06/16/2016)
07/12/2016	<u>111</u>		INITIAL PRESENTENCE REPORT as to Marcus Dwayne Willis by Officer Kara Foster. Objections to the PSR must be submitted directly to the Probation Department. Instructions for viewing the report/worksheet are available <a href="#">here</a> . (Document is available only to the attorney of record and AUSA for 10 days) (Attachments: # <u>1</u> Certificate of Disclosure)(Hinojos, A) (Entered: 07/12/2016)
08/01/2016	<u>114</u>		



			We have previously furnished to the Court the original Presentence Investigation Report and Addendum. Accordingly, attached is the Addendum with changes, if any, as indicated on the AddendumInstructions for viewing the report/worksheet are available <a href="#">here</a> . (Document is available only to the attorney of record and AUSA for 10 days) (Attachments: # <u>1</u> Amended PSR)(Hinojos, A) (Entered: 08/01/2016)
08/01/2016	<u>115</u>		SEALED PRESENTENCE INVESTIGATION REPORT Filed as to Marcus Dwayne Willis by Officer Kara Foster. (Document available to court only) (Attachments: # <u>1</u> Addendum to PSR, # <u>2</u> Sentence Recommendation)(Hinojos, A) (Entered: 08/01/2016)
08/03/2016	<u>116</u>		ORDER Resetting Sentencing as to Marcus Dwayne Willis Sentencing reset for 8/10/2016 10:45 AM before Judge Robert A. Junell,. Signed by Judge Robert A. Junell. (lg1) (Entered: 08/03/2016)
08/03/2016	<u>117</u>		SEALED MOTION filed (Warsaw, Violet) (Entered: 08/03/2016)
08/04/2016	<u>118</u>		Sealed Order. Signed by Judge Robert A. Junell. (lg1) (Entered: 08/05/2016)
08/04/2016			Set/Reset Hearings as to Marcus Dwayne Willis, Cheryl Denise Montgomery: Sentencing reset for 10/11/2016 03:15 PM before Judge Robert A. Junell, (lg1) (Entered: 08/05/2016)
10/11/2016	<u>120</u>		ORDER Resetting Sentencing as to Marcus Dwayne Willis Sentencing reset for 11/2/2016 09:45 AM before Judge Robert A. Junell,. Signed by Judge Robert A. Junell. (lg1) (Entered: 10/12/2016)
11/02/2016	<u>124</u>		Minute Entry for proceedings held before Judge Robert A. Junell:Sentencing held on 11/2/2016 for Marcus Dwayne Willis (1), Count(s) 1, On November 2, 2016 defendant was sentenced to 1 month BOP, 48 months supervised release, and \$100 special assessment fee.. (Minute entry documents are not available electronically.) (Court Reporter Ann Record.) (lg1) Modified on 11/29/2016 correct supervised release time (lg1). (Entered: 11/03/2016)
11/02/2016	<u>125</u>		SEALED MOTION filed (lg1) (Entered: 11/09/2016)
11/08/2016	<u>127</u>	13	JUDGMENT AND COMMITMENT as to Marcus Dwayne Willis. Signed by Judge Robert A. Junell. (lg1) (Entered: 11/14/2016)
11/08/2016	<u>128</u>		Sealed Statement of Reasons as to Marcus Dwayne Willis (SOR documents are not available electronically.) (lg1) (Entered: 11/14/2016)
11/10/2016	<u>129</u>		Sealed Order. Signed by Judge Robert A. Junell. (lg1) (Entered: 11/16/2016)
05/22/2017	<u>135</u>		Report on Offender under Supervision (PB12A) as to Marcus Dwayne Willis Signed by Judge David Counts (lg1) (Entered: 05/23/2017)
08/18/2017	<u>136</u>		Probation/Supervised Release Jurisdiction Transferred to Eastern District of Texas–Plano Division as to Marcus Dwayne Willis Transmitted Transfer of Jurisdiction form, with copies of indictment, judgment and docket sheet. (lg1) (Entered: 08/21/2017)

FILED

MAY 27 2015

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY  DEPUTY

**SEALED**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

1.) MARCUS DWAYNE WILLIS,  
2.) CHERYL DENISE MONTGOMERY,  
3.) LORENZO ZUBIA,

Defendants.

CRIMINAL NO.  
INDICTMENT

**MO 15CR - 123**

[Vio: 21 U.S.C. § 846 -  
Conspiracy;  
21 U.S.C. § 841(a)(1)-  
Possession With Intent to  
Distribute and Distribution of a  
Controlled Substance]

**THE GRAND JURY CHARGES:**

**COUNT ONE**  
**[21 U.S.C. § 846]**

Beginning on or about August 1, 2014 and continuing until on or about the date of this indictment, in the Western District of Texas and elsewhere, the Defendants,

1.) MARCUS DWAYNE WILLIS,  
2.) CHERYL DENISE MONTGOMERY,  
3.) LORENZO ZUBIA,

did combine, conspire, confederate and agree together, with each other, and with others known and unknown to the Grand Jury to possess with intent to distribute and distribute a controlled substance, which offense involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), in violation of Title 21, United States Code, Section 846.



A TRUE BILL. **Original signed by the  
foreperson of the Grand Jury**

~~FOREPERSON OF THE GRAND JURY~~

RICHARD L. DURBIN, JR.  
ACTING UNITED STATES ATTORNEY

  
BRANDI YOUNG  
Assistant United States Attorney

PERSONAL DATA SHEET (REDACTED)  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

**MO 15CR-123**

COUNTY: Midland	DIVISION: MIDLAND/ODESSA	JUDGE: JUNELL
DATE: May 27, 2015	MAG CT #:	FBI #:
CASE NO: MO-15-	ASSISTANT U.S. ATTORNEY: Brandi Young	
DEFENDANT: 1. MARCUS DWAYNE WILLIS		DOB: XXXXXXXXXX
ADDRESS: XXXXXXXXXXXXXXXXXXXX		
CITIZENSHIP: INTERPRETER NEEDED LANGUAGE:		
DEFENSE ATTORNEY:		
DEFENDANT IS:		
DATE OF ARREST: Not arrested		BENCH WARRANT: XXX
PROBATION OFFICER:		
NAME AND ADDRESS OF SURETY:		
YOUTH CORRECTIONS ACT APPLICABLE: No		
PROSECUTION BY: Indictment		
OFFENSE (Code and Description): Ct. 1 -- 21 USC 846 - Conspiracy		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: Ct. 1 - A 10 year mandatory minimum term of imprisonment, not to exceed life; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment.		
PENALTY IS MANDATORY: As stated above.		
REMARKS: AGENT: FBI – Dominic Coppo		

WDT-Cr-3

PERSONAL DATA SHEET (REDACTED)  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

**MO15CR-123**

COUNTY: Midland	DIVISION: MIDLAND/ODESSA	JUDGE: JUNELL
DATE: May 27, 2015	MAG CT #:	FBI #:
CASE NO: MO-15-CR-	ASSISTANT U.S. ATTORNEY: Brandi Young	
DEFENDANT: 2. CHERYL DENISE MONTGOMERY		DOB: XXXXXXXXXX
ADDRESS: XXXXXXXXXXXXXXXXXXXX		
CITIZENSHIP: INTERPRETER NEEDED LANGUAGE:		
DEFENSE ATTORNEY:		
DEFENDANT IS:		
DATE OF ARREST: Not arrested		BENCH WARRANT: XXX
PROBATION OFFICER:		
NAME AND ADDRESS OF SURETY:		
YOUTH CORRECTIONS ACT APPLICABLE: No		
PROSECUTION BY: Indictment		
OFFENSE (Code and Description): Ct. 1 – 21 USC 846 - Conspiracy		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: Ct. 1 - A 10 year mandatory minimum term of imprisonment, not to exceed life; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment.		
PENALTY IS MANDATORY: As stated above.		
REMARKS: AGENT: FBI – Dominic Coppo		

WDT-Cr-3

PERSONAL DATA SHEET (REDACTED)  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

**MO 15 CR - 123**

COUNTY: Midland	DIVISION: MIDLAND/ODESSA	JUDGE: JUNELL
DATE: May 27, 2015	MAG CT #:	FBI #:
CASE NO: MO-14-CR-296	ASSISTANT U.S. ATTORNEY: Brandi Young	
DEFENDANT: 3. LORENZO ZUBIA		DOB: XXXXXXXXXX
ADDRESS: XXXXXXXXXXXXXXXXXXXX		
CITIZENSHIP: INTERPRETER NEEDED LANGUAGE:		
DEFENSE ATTORNEY:		
DEFENDANT IS:		
DATE OF ARREST: Not arrested.		BENCH WARRANT: XXX
PROBATION OFFICER:		
NAME AND ADDRESS OF SURETY:		
YOUTH CORRECTIONS ACT APPLICABLE: No		
PROSECUTION BY: Indictment		
OFFENSE (Code and Description): Ct. 1 – 21 USC 846 - Conspiracy		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: Ct. 1 - A 10 year mandatory minimum term of imprisonment, not to exceed life; a 5 year mandatory minimum term of supervised release; a fine not to exceed \$10 million; and a mandatory \$100 special assessment.		
PENALTY IS MANDATORY: As stated above.		
REMARKS: AGENT: FBI – Dominic Coppo		

WDT-Cr-3

**FILED**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
MIDLAND DIVISION

NOV 08 2016

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY MR  
DEPUTY

UNITED STATES OF AMERICA

v.

Case Number: 7:15-CR-00123-RAJ(1)

USM Number: 54354-380

MARCUS DWAYNE WILLIS

Defendant.

**JUDGMENT IN A CRIMINAL CASE**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, MARCUS DWAYNE WILLIS, was represented by E. Jason Leach, Esq.

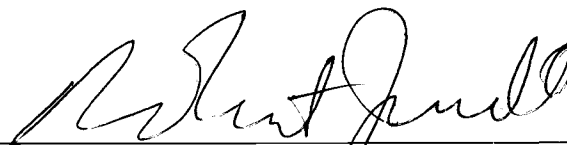
The defendant pled guilty to Count(s) One of the Indictment on May 19, 2016. Accordingly, the defendant is adjudged guilty of such Count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 USC § 841 (a)(1)	Conspiracy to Possess with Intent to	05/27/2015	One
21 USC § 841 (b)(1)(A)	Distribute 5 Kilograms or More of a		
21 USC § 846	Mixture and Substance Containing a		
	Detectable Amount of Cocaine		

As pronounced on November 2, 2016, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the Court and United States Attorney of material changes in economic circumstances.

Signed this 8th day of November, 2016.



Robert A. Junell  
Senior United States District Judge

DEFENDANT: MARCUS DWAYNE WILLIS  
CASE NUMBER: 7:15-CR-00123-RAJ(1)

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **One (1) month as to count 1** with credit for time served while in custody for this federal offense pursuant to 18 U.S.C. § 3585(b).

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant serve this sentence at F. C. I. Seagoville.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons at or before 12:00 PM on **January 11, 2017**. The defendant shall contact the U.S. Marshal Service, Midland, Texas not later than one week before **January 11, 2017** to ascertain as to which institution he/she is to report and shall report to the institution on **January 11, 2017** before 12:00 p.m. as instructed to report by the United States Marshal.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

\_\_\_\_\_  
By  
DEPUTY UNITED STATES MARSHAL



DEFENDANT: MARCUS DWAYNE WILLIS  
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### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **Four (4) years**.

While on supervised release, the defendant shall comply with the mandatory, standard and if applicable, the special conditions that have been adopted by this Court, and shall comply with the following additional conditions:

The defendant shall abstain from the use of all intoxicants, including alcohol, marijuana, synthetic marijuana, and bath salts, during the term of supervision.

The defendant shall not be permitted to reside any place where firearms are possessed or stored.

The defendant shall have no contact with Lorenzo Zubia, whether by phone, e-mail, fax, letter or in person, during the term of supervision.

The defendant shall continue to pay previously order child support and any amount that may be in arrears.

The defendant shall obtain his GED during the term of supervision.

The defendant shall participate in the Home Confinement Program for a period of **Five (5) months** with Electronic Monitoring. During this time the defendant shall remain at his place of residence during the hours of 9:00 PM to 6:00 AM except for employment and other activities including school approved in advance by the probation officer. The defendant shall maintain a telephone at his place of residence without "call forwarding," a "modem," caller ID," "call waiting," or portable cordless telephones for the above period. The defendant shall wear an electronic monitoring devise and follow electronic monitoring procedures specified by the probation officer. The Court further orders the defendant shall pay for the costs of Home Confinement, as directed by the probation officer.

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## CONDITIONS OF SUPERVISION

### Mandatory Conditions:

- 1) The defendant shall not commit another federal, state, or local crime during the term of supervision.
- 2) The defendant shall not unlawfully possess a controlled substance.
- 3) The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court) for use of a controlled substance, but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant's presentence report or other reliable sentencing information indicates low risk of future substance abuse by the defendant.
- 4) In supervised release cases only, the defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.
- 5) If convicted of a felony, the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- 6) The defendant shall cooperate in the collection of DNA as directed by the probation officer, if the collection of such a sample is authorized pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. § 14135a).
- 7) If convicted of a sexual offense and required to register under the Sex Offender and Registration Act, that the defendant comply with the requirements of the Act.
- 8) If convicted of a domestic violence crime as defined in 18 U.S.C. § 3561(b), the defendant shall participate in an approved program for domestic violence.
- 9) If the judgment imposes a fine or restitution, it is a condition of supervision that the defendant pays in accordance with the Schedule of Payments sheet of the judgment.

### Standard Conditions:

- 1) The defendant shall not leave the judicial district without permission of the court or probation officer.
- 2) The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family obligations, and shall comply with the terms of any court order or order of an administrative process requiring payments by the defendant for the support and maintenance of a child or of a child and the parent with whom the child is living.
- 5) The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time, at home or elsewhere, and shall permit confiscation of any contraband observed in plain view of the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

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- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications, and to confirm the defendant's compliance with such notification requirement.
- 14) If convicted of a sex offense as described in the Sex Offender Registration and Notification Act or has a prior conviction of a State or local offense that would have been an offense as described in the Sex Offender Registration and Notification Act if a circumstance giving rise to federal jurisdiction had existed, the defendant shall participate in a sex offender treatment program approved by the probation officer. The defendant shall abide by all program rules, requirements and conditions of the sex offender treatment program, including submission to polygraph testing, to determine if the defendant is in compliance with the conditions of release. The defendant may be required to contribute to the cost of the services rendered (copayment) in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- 15) **The defendant must participate in a substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During treatment, the defendant must abstain from the use of alcohol and any and all intoxicants. The defendant must pay the costs of such treatment if financially able.**
- 16) The defendant shall participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). The defendant must pay the costs of such treatment if financially able.
- 17) The defendant shall participate in a cognitive behavioral treatment program as directed by the probation officer, and if deemed necessary by the probation officer. Such program may include group sessions led by a counselor or participation in a program administered by the probation office. The defendant may be required to contribute to the cost of the services rendered (copayment) in an amount to be determined by the probation officer, based upon the defendant's ability to pay.
- 18) The defendant must participate in a workforce development program and follow the rules and regulations of that program. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). The defendant must pay the costs of such program if financially able.
- 19) If the defendant is excluded, deported, or removed upon release on probation or supervised release, the term of supervision shall be a non-reporting term of probation or supervised release. The defendant shall not illegally reenter the United States. If the defendant lawfully reenters the United States during the term of probation or supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office.
- 20) If the judgment imposes other criminal monetary penalties, it is a condition of supervision that the defendant pays such penalties in accordance with the Schedule of Payments sheet of the judgment.
- 21) If the judgment imposes a fine, special assessment, restitution, or other criminal monetary penalties, it is a condition of supervision that the defendant shall provide the probation officer access to any requested financial information.
- 22) If the judgment imposes a fine, special assessment, restitution, or other criminal monetary penalties, it is a condition of supervision that the defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with the payment schedule.

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### CRIMINAL MONETARY PENALTIES/SCHEDULE

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth. Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. Criminal Monetary Penalties, except those payments made through Federal Bureau of Prisons' Inmate Financial Responsibility Program shall be paid through the Clerk, United States District Court, 655 E. Cesar E. Chavez Blvd, Room G65, San Antonio, TX 78206. The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$100.00	\$ .00	\$ .00

### SPECIAL ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00. Payment of this sum shall begin immediately.

### FINE

The fine is waived because of the defendant's inability to pay.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column above. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. §3614.

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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To:cmecf\_notices@txwd.uscourts.gov  
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--Non Case Participants:  
--No Notice Sent:  
  
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Subject:Activity in Case 7:15-cr-00123-RAJ USA v. Sealed Indictment Unsealed  
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***NOTE: This docket entry (or case) is sealed, no email notices have been sent.***

**U.S. District Court [LIVE]**

**Western District of Texas**

### **Notice of Electronic Filing**

The following transaction was entered on 6/16/2015 at 8:44 AM CDT and filed on 6/12/2015

**Case Name:** USA v. Sealed

**Case Number:** 7:15-cr-00123-RAJ \*SEALED\*

**Filer:**

**Document Number:** No document attached

**Docket Text:**

**INDICTMENT UNSEALED as to Marcus Dwayne Willis, Cheryl Denise Montgomery (sm)**

**7:15-cr-00123-RAJ \*SEALED\*-1 No electronic public notice will be sent because the case/entry is sealed.**

**7:15-cr-00123-RAJ \*SEALED\*-2 No electronic public notice will be sent because the case/entry is sealed.**